be obtained through the normal allocation of ration points. Of course, under the Acts of Congress creating the Office of Price Administration, the various local rationing boards have more or less arbitrary control over the allocation of additional ration points. The problem was solved in San Francisco at the very outset of rationing when the San Francisco Rationing Board requested the San Francisco County Medical Society to appoint a committee to meet with the Ration Board each week and pass upon all requests for additional points based on medical needs. The committee has functioned to the satisfaction of both the physicians in San Francisco and the Ration Board.

We would suggest that you urge the San Jose Ration Board to adopt the same procedures and methods as are followed in San Francisco. You might point out to the Board that actions taken by physicians selected by the Santa Clara County Medical Society cannot result in the type of dispute that has arisen under present procedures because if the Medical Society committee turned an applicant down, the Ration Board cannot be blamed.

Accordingly in my opinion, the suggestion contained in the last paragraph of your letter of June, 1944, is an excellent one both for the welfare of the community and the smooth functioning of necessary food rationing procedures.

Very truly yours,
HARTLEY F. PEART.

(COPY)

June 13, 1944.

Dear Doctor Kress:

Thank you for copies of the correspondence with the Santa Clara County Medical Society relative to additional food rations.

Our only suggestion would be for the Santa Clara Society to appoint a committee to handle requests for extra food rations when ordered by physicians, similar to the committee now functioning in San Francisco. This is a committee of physicians which meets with the Ration Board every week and passes on the requests for additional points. It is a very smooth running committee and I know of no dissatisfaction among our members. We shall be glad to give you further details of our plan if you wish.

Yours sincerely,
CHESTER L. COOLEY, M.D., *Secretary.*

Concerning Demand for an Autopsy Report:

(COPY)

San Francisco 4, June 22, 1944.

Dear Doctor ————:

We duly received your letter of June 17, 1944, regarding the demand made upon you for a complete copy of an autopsy report covering an autopsy made on a former patient of Dr. ————.

You ask whether, if the person involved appeared at your office with a court order for a copy of the report, you would be compelled to give it to him personally or whether you could insist that the copy be turned over to the court with a statement as to its technical nature, etc. So far as we know the only manner in which a copy of the report could be obtained by court process would be the issuance of a subpoena duces tecum. This would be an order issued under authority of the court requiring you to attend at a particular time and place and to bring with you a copy of the report in question. You would probably then be given an opportunity to make any explanation.

A subpoena duces tecum of this kind could not be issued unless a court action was commenced, in which the autopsy report might be material evidence. It is unlikely that you will be subjected to court process unless an action is commenced against Dr. ———— or the ———— Hospital. . . .

Very truly yours,
HARTLEY F. PEART.

Concerning C.M.A. Membership, When Residence Is Changed:

(COPY)

San Francisco 4, June 15, 1944.

Dear Doctor ————:

Following our conversation over the phone, I checked up on the by-laws of the California Medical Association.

Section 10 of Chapter II covers the question of membership as affected by transfer of residence. I enclose a copy of this section.

A transferee is eligible to membership in the new county society under the conditions states, "provided, however, that no evidence which would disqualify him for membership exists." The last paragraph covers the position of a member who is not elected to membership in the society of the county to which he goes.

Sincerely,
HARTLEY F. PEART.

Concerning Legal Status of Artificial Insemination:

(COPY)

San Francisco, June 29, 1944.

Dear Doctor ————:

You have inquired as to the legal status of artificial insemination.

There is practically no advice or information that I can give you in this regard. The only thing that can be said of the legal status of artificial insemination is that as far as we know, there is no law on the subject. We know of no statute in California or any other state which makes such a procedure in any manner contrary to law, and there have been no cases before the courts brought to our attention involving artificial insemination.

Undoubtedly, there are a great number of people who would regard artificial insemination as being socially unsound and even contrary to good morals and the best interests of the community. If it should ever become a common practice, unquestionably there would be legislation on the subject.

One legal question occurs to us which might arise from the use of artificial insemination. That is the question of paternity. At the present time, there is a statute in this State, Civil Code, section 193, which provides that "all children born in wedlock are presumed to be legitimate." Another statute, Code of Civil Procedure, section 1962, provides that "the issue of a wife cohabiting with her husband who is not impotent is indisputably presumed to be legitimate." The possibility of a married woman giving birth to a child after artificial insemination raises the question of whether application would be given to the foregoing sections. Would a husband be presumed to be the father of a child born as a result of artificial insemination and if not who would be regarded as the father? This would be of utmost importance on questions of obligation for support, inheritance, etc.

I regret there is not some specific advice that I can give you.

Very truly yours,
HARTLEY F. PEART.